

REMARKS

In the Office Action, all of the pending claims 1-12 have been rejected for being unpatentable.

In response, Applicant is presenting arguments herewith for the patentability of the pending claims. Specifically, the arguments presented here are intended to assist in defining the structure of the present invention, and to point out the features that distinguish this invention over the cited art. No claims have been amended, and no claims have been added or cancelled. Claims 1-12 remain pending.

Rejections under 35 USC § 103(a)

Claims 1 and 2-10 (sic.) have been rejected for being unpatentable over U.S. Pat. No. 4,901,718 (hereinafter referred to as Bille), in combination with U.S. Pat. No. 3,973,825 (hereinafter referred to as Starkweather).

Of the presently pending claims, claim 1 is the only independent claim. Claims 2-12 depend from claim 1. Therefore, Applicant's arguments presented below apply equally to all of the claims 1-12.

As claimed for the present invention, the steering of a laser beam in one direction (e.g. the x-direction) requires use of not just one, but two different scanning mechanisms. Importantly, any movement of one of the scanning mechanisms (i.e. a first scanning mechanism) must be accompanied by a compensating movement of the other mechanism (i.e. a second scanning mechanism). A separate, third scanning

mechanism is then used to steer the laser beam in an orthogonal direction (e.g. the y-direction). None of the cited references either teach or suggest a structure or cooperation of structure as claimed for the present invention. In particular, concerted operation of the first and second scanning mechanisms for movement of a laser beam along a single direction, as claimed for the present invention is not disclosed or implied by either reference.

Arguments for distinguishing the pending claims from the Bille reference were previously submitted on September 24, 2008, in a Response to Office Action. Applicant incorporates the previously submitted arguments here by reference, and contends they clearly distinguish Bille from the present invention.

Insofar as the newly cited Starkweather reference is concerned, it too is also clearly distinguishable from the present invention. As noted above, the present invention requires the first and second scanning mechanisms operate together to steer a laser beam in a particular direction (i.e. the x-direction). Starkweather, like Bille, has no such requirement and, indeed, Starkweather effectively teaches away from such a requirement. Specifically, when two different optical components are used to move a beam in a same direction (e.g. a y-direction) Starkweather requires they operate separately from each other. In particular, Starkweather has one component remain stationary while the other component performs its scan (see col. 6, lns 46-56).

In conclusion, Applicant contends that neither of the cited references teach or suggest anything like the combination of the first and second scanning mechanisms claimed for the present invention. Accordingly, Applicant believes the basis for rejecting claims for being unpatentable has been overcome and should be withdrawn.

In conclusion, Applicant respectfully asserts that claims 1-12 are patentable for the reasons set forth above, and that the application is now in a condition for allowance. Accordingly, an early notice of allowance is respectfully requested. The Examiner is requested to call the undersigned at 619-688-1300 for any reason that would advance the instant application to issue.

Dated this 18th day of March, 2009.

Respectfully submitted,



NEIL K. NYDEGGER
Attorney for Applicant
Registration No. 30,202
Customer No. 23862

NYDEGGER & ASSOCIATES
348 Olive Street
San Diego, California 92103
Telephone: (619) 688-1300